IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

ARBITRATION PETITION NO.249 OF 2003

...

Regency Hotels Pvt.Ltd.
and Anr. ...Petitioners

v/s.

Haresh Jagtiani & ors. ...Respondents

...

Mr.Shrirang Shrimani for the Petitioner.

Mr.D.D.Madon i/b Kanga & Co. for Respondents Nos. 2 & 3.

Mr.Ravi Kadam i/b N.C.Dalal & Co. for Respondent No.4.

...

WITH

ARBITRATION PETITION NO.371 OF 2003

Cherish Investments Pvt.Ltd. ...Petitioner

v/s

Haresh G. Advani & Ors. ...Respondents

...

Mr.D.d.Madon i/b Kanga & Co. for the Petitioner.

Mr.Shrirang Shrimani for Respondents Nos. 1 to 4.

...

WITH

ARBITRATION PETITION NO.398 OF 2003

...

Mr.Gul Kripalani ...Petitioner

v/s.

M/s.Regency Hotels Pvt.Ltd.

and ors. ...Respondents

...

Mr.Ravi Kadam i/b N.C.Dalal & Co. for the Petitioner.

Mr.Shrirang Shrimani for Respondents Nos. 1 & 2.

...

CORAM: D.K.DESHMUKH, J.

DATED: 10TH FEBRUARY,2005

P.C.:

1. By consent of parties, the award which is impugned in the petition is set aside. By consent of parties Hon'ble Mrs.Justice Sujata Manohar (Retired) is appointed as a sole Arbitrator. Following issues are referred to the learned Arbitrator for determination.

(i) "To determine as to how much shareholding Cherish is entitled to (if any) in Regency on account of payments made by Cherish to the Shareholders of Regency under the agreement of July 1996. The arbitrator will also decide the issue as to how much space Cherish would be entitled to in the proposed construction of the site on the basis of the shareholding that they are entitled to (if any) determined by this arbitration process. Only the

matters incidental to above two issues will fall within the scope of arbitration."

(ii) The Arbitration shall be conducted in accordance with the provisions of the Arbitration & Conciliation Act, 1996.

(iii)Interim orders that may be operating between the parties shall continue to operate for a period of eight weeks from today with liberty to the parties to approach the learned Arbitrator for appropriate interim orders.

Petitioner to intimate this order to the learned Arbitrator.

Petition disposed of.

Certified copy expedited.

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